

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Claim Amendments/Status

Claims 1-4, 7-9, 11-14, 17-19, 21-26, 29-31, 33-36, 39-43, 45, 47, and 50-51 remain pending in the application. Claims 1, 11, 21, 33, 39, and 45 have been amended to improve claim language. Claims 5, 6, and 10 have been incorporated into claim 1; claims 15, 16, and 20 have been incorporated into claim 11; claims 27, 28, and 32 have been incorporated into claim 21; claims 37 and 38 have been incorporated into claim 33; claim 44 have been incorporated into claim 39; and claims 46, 48, and 49 have been incorporated into claim 45. Accordingly, claims 5-6, 10, 15-16, 20, 27-28, 32, 37-38, 44, 46, and 48-49 are now cancelled.

Claim Rejections - 35 U.S.C. §102

Claims 1, 3-8, 10-11, 13-18, 20-21, 23-33, 35-39, 41-44, and 46-50 are rejected under 35 U.S.C. §102(e) as being anticipated by Park et al. (U.S. Patent No. 7,151,756), hereinafter as Park. Applicant respectfully traverses this rejection.

Regarding claims 5, 15, 27, and 48, Applicant submits that the cited portions of Park do not appear to fairly disclose “wherein the dummy pilot signal is transmitted from the CDMA-2000 system located in a border area between the WCDMA network and the CDMA-2000 network.” The cited portions of Park appears to disclose a hard handoff method between an asynchronous CDMA system and a synchronous CDMA system, wherein signals from the asynchronous CDMA base station and the adjacent synchronous CDMA base station using the asynchronous CDMA synchronization channel and the common pilot channel are measured (*see* Park, column 2 lines 12-21). Park, as applied by the Examiner, appears to disclose that signals from surrounding networks are received and measured, however, the cited portions of Park does

not appear to disclose or suggest the physical location of the CDMA network where the dummy pilot signal is transmitted from. In other words, the cited portions of Park do not appear to disclose that the dummy pilot signal is transmitted from **the CDMA-2000 system located in a border area** between the WCDMA network and the CDMA-2000 network.

Regarding claims 6, 16, 28, 37, and 49, Applicant submits that the cited portions of Park do not appear to disclose “wherein the dummy pilot signal includes a specific scramble code.” Park, as applied by the Examiner, appears to disclose a hard handoff method between an asynchronous CDMA system and a synchronous CDMA system, wherein the information necessary to perform the handoff includes a starting point of the hard handoff, a long code state at the starting point of the hard handoff, an offset index of a pilot PN (Pseudo Noise) sequence, a code channel index used in forward traffic channel and an offset value regarding the traffic channel (*see* Park, column 2 lines 30-35). The cited portions of Park appears to disclose conditions necessary to perform the hard handoff, however, the cited portions of Park do not appear to disclose scrambling the dummy pilot signal in order to distinguish it from other signals (*see* specification, paragraph [0033]).

Regarding claims 10, 20, 32, 38, 44, and 46, Applicant submits that the cited portions of Park do not appear to disclose that once the multimode terminal receives that handover command message, the WCDMA modem of the multimode terminal is turned off. Park, as applied by the Examiner, appears to disclose a hard handoff method between an asynchronous CDMA system and a synchronous CDMA system, wherein when performing the hard handoff, the traffic channel established with the asynchronous CDMA base station is released, and a traffic channel with the synchronous CDMA base station is established (*see* Park, column 2 lines 38-41). Applicant respectfully submits that simply releasing a particular channel established between an asynchronous CDMA system and a synchronous CDMA system is not the same as completely turning off the WCDMA modem of the multimode terminal. Turning off the WCDMA modem of the multimode terminal means no signal will be transmitted or received at the WCDMA modem, which is conceptually different than simply releasing a channel established between two CDMA systems.

Claims 5-6, 10, 15-16, 20, 27-28, 32, 37-38, and 44 have been incorporated into independent claims 1, 11, 21, 33, and 39 as stated above. Accordingly, for the reasons stated above, claims 1, 11, 21, 33, and 39 should be patentable over the art of record, and the rejection should be withdrawn.

In addition, claims 3-4, 7-8, 13-14, 17-18, 23-26, 29-31, 34-36, and 41-43 depend, either directly or indirectly, from claim 1, or 11, or 21, or 33, or 39, include further important limitations, and are patentable over Park for at least the reasons set forth above with respect to claim 1, or 11, or 21, or 33, or 39, and accordingly, the rejection should be withdrawn.

Claim Rejections - 35 U.S.C. §103

Claims 2, 12, and 22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Park in view of Kim (U.S. Patent Application Publication No. 2003/0129981). Applicant respectfully traverses this rejection.

Claims 2, 12, and 22 depend, either directly or indirectly, from claim 1, or 11, or 21, include further important limitations, and are patentable over Park and Kim for at least the reason above with respect to claim 1, or 11, or 21, accordingly, the rejection should be withdrawn.

Claims 9, 19, and 51 are rejected under 35 U.S.C. §103(a) as being unpatentable over Park in view of Hunzinger (U.S. Patent Application Publication No. 2004/0051524). Applicant respectfully traverses this rejection.

Claims 9, 19, and 51 depend, either directly or indirectly, from claim 1, or 11, or 45, include further important limitations, and are patentable over Park and Hunzinger for at least the reason above with respect to claim 1, or 11, or 45, accordingly, the rejection should be withdrawn.

Claims 34 and 40 are rejected under 35 U.S.C. §103(a) as being unpatentable over Park in view of Reynolds (U.S. Patent Application Publication No. 2003/0125028). Applicant respectfully traverses this rejection.

Claims 34 and 40 depend, either directly or indirectly, from claim 33 or 39, include further important limitations, and are patentable over Park and Reynolds for at least the reason above with respect to claim 33 or 39, accordingly, the rejection should be withdrawn.

Claim 45 is rejected under 35 U.S.C. §103(a) as being unpatentable over Park in view of Reynolds, further in view of Zusuki (U.S. Patent Application Publication No. 2004/0204038). Applicant respectfully traverses this rejection.

Regarding claim 45, the limitations recited in original claims 46, 48, and 49 have been incorporated into claim 45. In addition, Reynolds and Zusuki fails to disclose or suggest the deficiencies stated above regarding claims 46, 48, and 49. Accordingly, for the reasons stated above, claim 45 should be patentable over the art of record, and the rejection should be withdrawn.

In addition, claims 47 and 50 depend, either directly or indirectly, from claim 45, include further important limitations, and are patentable over Park, Reynolds, and Zusuki for at least the reasons set forth above with respect to claim 45, and accordingly, the rejection should be withdrawn.

Conclusion

Each of the Examiner's rejections has been traversed / overcome. Accordingly, Applicant respectfully submits that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited. The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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